IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 15515 of 2005

Between:

T. Gopal Naidu S/o. Kichama Naidu
R/o. Varadappa Naidu Condriga Village Palasamudram Mandal
Chittoor District.

..... PETITIONER

AND

1. The Joint Collector, Chittoor District.
2. The Revenue Divisional Officer, Chittoor District.
3. The Mandal Revenue Officer,
   Palasamudram Mandal Chittoor Dist.
4. Smt. G. Lalitha W/o. Rathnam Naidu
   R/o. Varadappa Naidu Kandriga Village,

Palasamudram Mandal, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly a *Writ of Mandamus* declaring the inaction of the first respondent in passing the orders on the stay application filed by the petitioner against the proceedings of the 2nd respondent vide D.Dis.No.B/3437/2004, dated 04.07.2005 amounts to erroneous, arbitrary and violative of Art.14, 19 (1) G and 21 of the Constitution of India and consequently stay the proceedings of the 2nd respondent vide D.Dis.No.B/3437/2004, dated 4.7.2005.

Counsel for the Petitioner: MR.T.C.KRISHNAN

Counsel for the Respondent Nos.1 to 3: GP FOR CIVIL SUPPLIES

The Court made the following:

ORDER:

Against the order passed by the second respondent-Revenue Divisional Officer, Chittoor, in D.Dis.No.B/3437/2004 dated 04.07.2005, whereby the dealership of the fourth respondent was restored on humanitarian grounds with a direction not to repeat such lapses in future and fine of Rs.2,000/- was imposed for her lapses, the petitioner herein preferred an appeal to the first respondent-Joint Collector, Chittoor on 8.7.2005 along with a petition seeking stay of operation of the order of the Revenue Divisional Officer, Chittoor. Questioning the inaction of the first respondent in not passing any order on the said stay petition, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Sri T.C. Krishnan, learned counsel for the petitioner refers to several paragraphs in the impugned proceedings dated 04.07.2005 in support of his contention that Smt. G. Lalitha, whose authorization expired on 31.03.2001, had her authorization restored by the second respondent after more than 4 years, and ought not to have been conferred the said benefit.

Needless to state that these are all matters to be decided by the appellate authority i.e. Joint Collector.

Accordingly, the writ petition is disposed of directing the first respondent to consider the appeal filed by the petitioner and dispose of either the appeal or the stay application filed along with the appeal, within a period of four weeks from the date of receipt of a copy of this order. There shall no order as to costs.

(RAMESH RANGANATHAN, J)

Date: 18.07.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, Chittoor District.
2. The Revenue Divisional Officer, Chittoor District.
3. The Mandal Revenue Officer,
   Palasamudram Mandal Chittoor Dist.
4. 2 CCs to G.P. for Civil Supplies, High Court Buildings, Hyderabad

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5. 2 CD copies

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